

OVERVIEW OF THE MISSISSIPPI MODEL

It is immaterial how we feel about C.O.O.L. good or bad. It is the law and it will become mandatory Fall, 2004.

The question is, how do we implement C.O.O.L. in the least costly and most effective means possible?

To that end, the Mississippi Livestock Markets Association offers the Mississippi Model for C.O.O.L. Compliance thru T.F.O.G.

T.F.O.G. is a means of establishing and maintaining the verifiable audit trail required by C.O.O.L.

The Mississippi Model is being implemented across the State of Mississippi at every auction market and licensed dealers establishment in the state.

This project will operate from July 7, 2003 to November 22, 2003, collecting information that will be analyzed, evaluated, and reported as to results and recommendations during December, 2003, so the rules making committees and public may have this information by January 9, 2004.

At first point of market entry, cattle will be certified born and raised in USA under this program, by utilizing the original producer's statement saying that he oversaw the birth process within the USA as the beginning of the audit trail. Each time that animal enters the market chain this certification shall follow it by restatement under "T" either as "T-o", "T-f" or "T-g". This certification will be based on the records issued from the previous licensed market, licensed dealer, or if purchased directly from an original producer, keeping a TFOG certificate concerning this sale on file for two years.

The
Mississippi Model for
C.O.O.L. COMPLIANCE
thru
T.F.O.G.

Goals for the Project

1. U.S. Retailers be provided with proper documentation to allow beef to be labeled “100% Product of USA” or “Born in Country X, Raised in Country X and USA, and Slaughtered in USA”.
2. Be effective and accurate with the least trouble and cost possible.
3. Be reasonable in its implementation.
4. Demonstrate that at some point in the future the entire national herd will be certified somewhere as to “Born in the USA” thus automatically equating the US markets and dealers with the “Ultimate Purchaser” in C.O.O.L.
5. Investigate what failure to adopt the Grandfather and Transfer clauses in the mandatory rules of C.O.O.L. might cause in unnecessary burdens to markets, dealers, and those purchasers buying directly from a market then reselling those cattle after the grazing season. By tracking multiple models of possible required compliance methods under TFOG., the best possible model will be easily selected.
6. Ask Congress “Should the Mississippi Model be adopted, will you please certify all records involved as complying with C.O.O.L. from date implemented (June - July 2003)?”, thus rewarding the markets, dealers, producers, and customers participating in this project.

T.F.O.G. CERTIFICATE

I, _____
Name

Address

City, State, Zip

County

hereby affirm that any cattle sold by me or my agent at _____
Name of Market or Dealer

will be properly classified at check in according to T.F.O.G. with the following
definition of classes:

- T I have in my possession documentation that provides proof that links this animal to its original producer and can state that this animal was raised in the USA while in my possession.
- F I have raised this animal in the USA, but have documents indicating that this animal is of foreign origin.
- O I am the original producer that oversaw the birth and raising of this animal in the USA.
- G I raised this animal in the USA and have no documents to indicate it was born in a foreign nation. I believe this animal to be born in the USA but can not absolutely swear or attest to that as fact.

Signature

Date

How does T.F.O.G. work?

Each seller will fill out and sign a T.F.O.G. certificate at each market they sell cattle. This will be kept on file as a record of that seller's knowledge and promised use of the appropriate category of classification for cattle they sell. At check in they will correctly identify each animal as to proper category allowing that information to begin or continue the verifiable audit trail. This will create a database for cattle actually born and raised in the U.S.A. Thus the verifiable audit trail required under C.O.O.L. is created and maintained. This information shall be collected at the first point of market entry from the original producer by a licensed market or dealer and passed along to the next buyer on the invoice currently used by that market or dealer.

This should satisfy the requirements of C.O.O.L. since;

1. Markets and dealers are currently regulated at the state and federal level.
2. Markets and dealers are currently used as first point of market entry in the collection of the check off.
3. Markets and dealers are currently used to keep on file a single statement from each producer regarding the feeding of bonemeal and the giving of antibiotics (BSE certificate).

As you can see at this point any "O" or "F" animals could be certified regarding C.O.O.L. since their part in the verifiable audit trail is absolute. "O" being animals produced by the original producer who must be on file under C.O.O.L. and "F" being animals covered by the documents issued by the "Ultimate Purchaser" under C.O.O.L.. As far as "T" and "G" cattle, they will have to be handled as we do now without certification until the final mandatory rules are decided.. If the US cattle market is expected to continue to function smoothly under the mandatory rules, "T" and "G" must be authorized and included in the mandatory rules. Without that inclusion and authorization in the mandatory rules, a two or even three tier price structure will develop for the next 7 - 48 years. Seven years being the average life expectancy for adult cattle and 48 years, the record for cattle longevity. At that point all possible undocumented cattle will have died. There will be nothing but "O" cattle from the then nationally certified herd or "F" cattle from the "Ultimate Purchaser" Adoption of "T" and "G" in the mandatory rules will allow a legislative leap frogging of that 7 - 48 year time period so that the marketing of US cattle will continue in a smooth fashion, and at the same time put the US producer on equal footing with his

foreign competitor. The national herd will be systematically recorded at the producer level, and the C.O.O.L. requirements will be thus satisfied should congress choose to adopt this model or something like it in the final mandatory rules. Then the packer and retailer can be sure that the product they label is labeled accurately.

How is this being done?

The Mississippi Model of C.O.O.L. Compliance thru T.F.O.G. was implemented thru a concerted effort by producers, markets, and dealers. (See letters in attachments)

The markets first decided to participate. The producer was then informed of C.O.O.L and what was expected under T.F.O.G.. The program started with a planned 30 day roll out in June, 2003, to give all involved time to work out any trouble spots. This also provided time for all producers to become aware of what was expected from them and the need for truth and accuracy in identifying their cattle at check in, most especially those animals born on their farms as that statement is the beginning of the verifiable audit trail for that animal. The US cattle producer is the only one who truly knows whether a calf was born on his farm and that his farm is in the USA.. His word must be accepted. The alternative would be a daily visit by an AMS employee to every farm in the US to monitor births.

Once in place, the "T" clause will facilitate buying of "O" cattle then reselling them. Since the seller using the "T" clause will have records indicating the status of the cattle he purchased, and if they have not left the USA while he was raising them and were not co-mingled with any other animals of possible foreign origin, he should be allowed to certify any "O" cattle he purchased and has the records on as "T-o" because the original producer is on file at the first point of market entry. Thus the verifiable audit trail required by C.O.O.L. is still maintained but becomes a little longer.

For this project, any licensed dealer, if they wish to certify "Born and Raised in USA", will;

1. Record the individual tag numbers on "O" or "T-o" cattle.
2. Record the date of purchase.
3. Record the name of the particular market holding the next link in the verifiable audit trail which would lead to the original producer involved concerning a particular animal.

At this point since individual animal ID is not required and in fact the Secretary of Agriculture is prohibited by C.O.O.L. from mandating individual animal ID, the tags will be removed and that entire load of cattle certified as “Born and Raised in the USA” by the dealer in the aggregate based on his records from a licensed market, another licensed dealer, or the original producer in case of a direct sale. A T.F.O.G. Certificate from such a direct sale will be kept on file at the dealers office for the appropriate record keeping time period. Remember the dealer is licensed and regulated by both the Federal and State governments and should be allowed this status which is equivalent to the “Ultimate Purchaser” under the imported livestock section of C.O.O.L. At this point the US producer will be on an equal footing with the Mexican, Canadian, or any other producer from a foreign country.

Thus each subsequent purchaser of any market or dealer certified cattle could easily comply with the “Born and Raised” part of C.O.O.L. using the markets or dealers statement. This will greatly ease the record keeping burden on everyone involved and still satisfy C.O.O.L. In other words 1,000 cattle = 10 loads = 10 certificates instead of 1000. The seller of the 1000 head would deliver only 1 statement so the 10 certificates become only one and the verifiable audit trail is still maintained.

Has the AMS been included?

The AMS (Agricultural Marketing Service) has been aware of the Mississippi Model from before the beginning. They sent a representative to listen to the May 9, 2003, meeting held in Jackson, Mississippi, where this was proposed, authorized and funded by the Mississippi Livestock Markets Association. Dave Foster, AMS supervisor over Mississippi, has been kept informed of our progress but due to a gag order has been unable to comment or offer assistance. Periodic reports and updates will be issued to his office.

What are the details of monitoring?

Since this is a research project, not the voluntary guidelines, the AMS is not overseeing this project directly. They will continue to be notified as to its workings, both problems and successes.

The monitoring will be done by Dr. Bill Brister, economist from Millsaps College, Jackson, Mississippi. Each week Dr. Brister will receive information from the markets concerning any problems and costs as well as a report on the total animals

marketed under each category. [Example "T" -14, "F" - 0, "O" - 397, "G"- 82 = Total 493 head] Each dealer will furnish Dr. Brister one audit target. This will give Dr. Brister a pool of random targets to select from and audit to determine if the verifiable audit trail is in place and workable. [Example, for the week of July 6-12, 2003, ABC Livestock Dealers audit target is 120 head sent July 10, 2003 to Dodge City, KS.]

If Dr. Brister selected ABC Livestock Dealers to audit, ABC would furnish their link in the verifiable audit trail and Dr. Brister will check the audit trail that has been created which will lead to the original producers involved and attempt to verify whether or not they are on record, did sell cattle on that day, live in the USA, and can be found to testify to that fact in court.

Patience is needed as the study will run from July 7 to November 22, 2003. This will allow Dr. Brister to write his conclusions, recommendations, cost evaluations, and deliver his report by January 9, 2004. Thus allowing the rule making committee a real world cost study in time to be of value in the rule making process.

Why the need for this study?

Public awareness of C.O.O.L. is sadly lacking. Many people have wrongly reported the requirements of C.O.O.L. causing undo worry and concern to producers and markets alike. Articles have begun to appear calling for the repeal of C.O.O.L. (see attachments) before it has even started in earnest.

This study will be a fact based real world evaluation of the true costs of C.O.O.L. As you can see the cost to the producer is \$0 under this system since only his statement at check in, his endorsement on his check, and his signature on file on the TFOG certificate will be required of him. Since cattle will be dealer certified to all subsequent purchasers by the load, the cost to the cattle grazer and feeder again should be \$0 since he will only have to have the dealer documents to continue the verifiable audit trail.

The cost for C.O.O.L to the retailer should be only the expense of the "100% USA" label since the packer will furnish that information to him along with the product (ie: Label this box 100% USA, Label that box "Born in Country X, Raised in X and USA, Processed in USA). The cost to the packer will be \$0, or nearly \$0 since the feeder will provide their link in the verifiable audit trail to the original producer in the USA. Thus the packer only need separate US cattle from Foreign cattle in some low cost method such as slaughtering foreign animals only on specific

days or any other low cost methods they choose to devise.

The costs to the markets will be low. There will be a little extra labor at check in, one more key stroke per ticket on computer input, plus the cost of the TFOG producer certificates and their filing. The costs to the dealer will be the highest. The dealer will have extra labor costs in sorting cattle according to classification. Increased cost will also be incurred due to double checking as to certainty of the "O" cattle and keeping that record.

Should the "G" and "T" clauses be authorized and included in the final rules as law, the dealer costs will drop to near \$0 since the markets certification would be sufficient to continue the verifiable audit trail, thus eliminating the need for extra sorting and double checking authenticity of "O" cattle.

ATTACHMENTS

Market Letter 1

Market Letter 2

Dealer Letter 1

Producer Letter 1

Producer Letter 2

Check In Sheet (Example 1)

Market Invoice Stockers (Example 2)

Market Invoice Kill Cow (Example 3)

Dealer Invoice (Example 4)

Dr. Brister's Resume

C.O.O.L. Article from Drovers

Texas Cattle Feeder Newsletter excerpts

Natchez Stockyard 6/10 Invoice

West Point Stockyard 6/17 Invoice

MISSISSIPPI LIVESTOCK MARKETS ASSOCIATION, INC.

680 Monroe St. Suite A
Jackson, MS 39202

Phone: 601-354-8951
Fax: 601-355-7128

June 2, 2003

Dear Participating Market,

Since each of you have your own way of doing business, the best and most efficient method of implementing our study is to let you decide on how to do it at your market.

Our project is designed to see;

1. If we can register the original producer that oversaw the birth and raising of the livestock they offer for sale as living in the USA. This is the most important part of our project. Without this producer on file, your grocer can not legally label beef as 100% USA.
2. If we can pass this information to dealers and individuals who purchase livestock from your market.
3. If we can keep all records involved on file.
4. If we can keep up with any added cost experienced above our current cost of doing business.

Probably the easiest way to implement our project is with the TFOG certificate. This should be kept on file as a record of which county and state your producer lives in. At check in have your employee record the status of the livestock checked in as to Transfer, Foreign, Original, or Grandfather. Keep this information confidential until after the sale is over. This allows your sale to continue business as usual.

In the office:

1. Keep track of total number of animals marketed by type.
(Example - "T" -21, "F" -0, "O" -710, "G" - 186 - total cattle sold 917.
2. Pass this information on to the customer, at least the "O" cattle.
3. Keep records on file for Dr. Brister and dealers.
4. Keep records of any extra cost or problems.
5. **DO NOT CERTIFY ANY ANIMAL AS TO "O" UNLESS YOU HAVE THAT PRODUCERS STATEMENT ON FILE AND ARE PREPARED TO DEFEND IT.**

Communicate with your producers. This whole law was designed to help them. Their cooperation is essential if our system is to be adopted as the national model. Some system will become mandatory September, 2004. That system may be an even bigger headache than this one. Thank you for your help. By acting as a group with everyone participating, this system will provide a real world cost study of implementation of C.O.O.L. in predominantly domestic markets.

A further safeguard could be adding a line to the back of your check - "By my endorsement I certify that the information supplied by myself or my agent regarding C.O.O.L. and TFOG is true and accurate.". That could be by rubber stamp. This is not necessary but would possibly strengthen your audit trail if questioned.

We are plowing new ground in a changing environment of uncertainty. Any way you see to make this easier or better, and still have the original producer on file, please let me know. Talk with other Mississippi Market operators to see how they are going to do it. I will be in Baton Rouge, Louisiana, on the 19th of June for the listening session. There the Mississippi model of C.O.O.L. compliance through TFOG will be announced, please allow me to be able to say this is in place at 100% of the Mississippi markets with the cost



analysis, data study results, and conclusions to be released the first week of January, 2004. So far 62% of the markets and dealers have said they will participate with another 22 % leaning toward participating with 16 % needing more information, but no one has flatly said "No I will not participate.". Please act soon and let me know your system.

Thank you again,

MISSISSIPPI LIVESTOCK MARKETS ASSOCIATION, INC.

680 Monroe St. Suite A
Jackson, MS 39202

Phone: 601-354-8951
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June 16, 2003

Dear Participating Market,

Thank you so much for your help this week. We have begun to implement our project. My hat is really off to the Monday markets that tried this because they didn't even have the rough drafts as a guide. Some Tuesday markets had it in time to try and some did try. We will get better at this. Each week will go smoother than the one before as we get used to this.

Regarding our project, stay in close contact with your market reporter, if you have one, since that is the Federal agency that will oversee the mandatory rules in September 2004.

Enclosed find another producer letter to help you notify your producers what we need and why. These people look to us to help them and they are equally willing to help us when needed. We need them now. The secret to making this whole thing work is the check in man. Tell the producer to help the check in man properly classify their cattle such as "Those 6 calves were born on my farm in the USA and I'm willing to swear that in court so mark them "O", but those 3 cows and 18 yearlings have to be marked "G" because I can't swear they were born in USA though I have no documents to indicate they were born elsewhere."

If your producers will do this, your job just got a lot easier. I am especially grateful to you large markets. If you can do it, any market can. Let me know if I can do anything else to help You people are great and I thank you for participating in helping not only the Mississippi producer, but all Americans.

DON'T SWEAR "O" IF YOU DON'T KNOW.

Thank you,



MISSISSIPPI LIVESTOCK MARKETS ASSOCIATION, INC.

680 Monroe St. Suite A
Jackson, MS 39202

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Fax: 601-355-7128

June 2, 2003

Dear Participating Dealer,

June is here and the project we approved last May is being implemented. Shortly each Mississippi market that you buy cattle from will be furnishing you extra information. The markets will classify the cattle as to category for the project. A certificate called T.F.O.G. will be used to do this.

The invoices you receive will look just like they do now with the exception that the recap will contain the line "Records are on file at our offices that will allow the continuation of an audit trail that will lead to the original producer over seeing the birth and raising of these animals within the USA or other classification noted."

On each individual account (example 1) the cattle with an original producer on file will be identified in some manner depending on the market. Since C.O.O.L. seems to require this producer to be on file if we are to legally be able to certify "Born and raised in USA" to our customers, this information is necessary. To sell livestock like you did last week, do nothing different and continue on. If you wish to take that extra time and trouble **and** you trust the markets information to be accurate, sort cattle as to "O" or other classification. All "O" cattle could be certified as "100% born and raised in the USA" and that statement on your recap could be placed on your invoice to your customer. **DO NOT CERTIFY "T", "F" OR "G" AS "BORN AND RAISED IN USA"** as there is no original producer on file.

Whether or not you decide to take this extra step please furnish Dr. Bill Brister an audit target for your business each week. His fax number is (601) 974-1260. Let him know the number of head and destination of the audit target load. If selected at random for the audit please cooperate with him It will be done at your convenience.

If you choose to exercise caution and due care, decide how big a chance you wish to take in certifying "100% USA".

1. I believe if you bought 1,000 animals in a week, with "O" on 780, 220 head with another ID, if you carefully sorted the 780 (i.e. 120 on one load, 85 on another, 145 on another etc.) then these could be certified as 100% USA because you can send an auditor to obtain producer certificates back to those sales where you purchased the 780 animals.

2. In case you believe or are concerned that each individual producer must be identified per shipment, you should record the tag numbers or other marking so you could swear in court that only those original producers are involved in that specific transaction.

I personally will use option 2 even though I support option 1. It would seem to be correct no matter what the final rules, but I am not sure.

We are in the lead on this and remember the pioneers take the arrows. Be sure to double check with each market as to the truth and existence of their records that will lead to the original producer. It is likely that anyone certifying livestock will probably be sued. If your records are in order, we believe you will



have a very good chance of prevailing. Our project attorney will represent you in any case where you used only "O" cattle and kept good records.

Again, do not certify "T", "F" or "G" livestock as "Born and Raised in USA" if you can not prove it you would lose in court. If our system is adopted as the national model, the record keeping will get easier the longer C.O.O.L. operates. The need for the grandfather clause will go away and the assumption of domestic origin will be the fact, because all undocumented animals will be dead and the nations herd will be certified as "Born in" since all cattle marketed after C.O.O.L.'s mandatory rules are implemented will have the original producer within the USA on file somewhere.

Thanks for your cooperation, whether you chose to certify cattle or do business as usual, please furnish Dr. Brister your weekly audit target. We believe you have little chance of being sued by participating unless you choose to actually certify 100% USA to your customers. If your customers want or require this, you can comply under this system if you jump through the hoops and keep the proper records. It can be done.

Thanks more than you know,

MISSISSIPPI LIVESTOCK MARKETS ASSOCIATION, INC.

680 Monroe St. Suite A
Jackson, MS 39202

Phone: 601-354-8951
Fax: 601-355-7128

June 2, 2003

Dear Mississippi Cattle Producer,

Your grocer has a problem in that he cannot legally certify the beef he sells as "100% born, raised and processed or slaughtered in the U.S.A.". A law was passed October, 2002, as part of the Farm bill, the Country of Origin Labeling Act called C.O.O.L. for short. Participation is currently voluntary, but will become mandatory in September, 2004.

Some have said that it would cost too much to do, be a huge burden on you, and that the consumer does not care where their beef comes from. We, of the Mississippi Livestock Marketing Association, believe that the consumer does care and that the cost to do this as well as the burden to you will be nothing more than being willing to swear that your farm is located within the USA and the calves you sell were born and raised there.

The cost and burden will be borne by this market and each buyer hereafter, not you. You will be asked to help us make this project a success by certifying at check in that the animals you offer for sale were born and raised on your farm within the U.S.A.. In the case of an animal you bought somewhere else or otherwise are unsure whether it was born in the U.S.A. and cannot swear, please use the Grandfather clause. If however you are sure that the calf you offer for sale was born on your farm and your farm is in the U.S.A., please use the Original producer clause.

Your market and dealers are taking a leap of faith in standing up to the huge global meat packing giants to help you maybe have a better bottom line, but we can't do it without you. Please take the extra 15 to 20 seconds at check in to properly classify your livestock as to where it was born and raised, either on your farm in the USA where you use the original producer clause, or raised on your farm in the USA; if you are unsure as to its place of birth, then you would use the grandfather clause.

This project will not work without your cooperation, but with that cooperation it can be a success. We in Mississippi are taking the lead. You will hear many different tales this is bad, this is unnecessary, this might be illegal, to who knows what else; but remember, if your farm is in the USA and your cow gave birth on your farm, you should have no problem.

Sometimes new things can be scary, but this is designed to help you by helping your grocer. With your statement in place he can legally certify his beef as 100 % USA and give the consumer a choice. We at this market believe the consumer will choose USA almost every time. Then your livestock hopefully will bring what it should. You work hard, your efforts need to be rewarded; we can not do this without your help. Please further help us gather information by giving us a copy of any article about C.O.O. L. either good or bad, that you may run across. We will pass it on to give our economist more information and to help him better monitor, evaluate, and openly judge this project.

Thanks for your cooperation,

Market Manager



MISSISSIPPI LIVESTOCK MARKETS ASSOCIATION, INC.

680 Monroe St. Suite A
Jackson, MS 39202

Phone: 601-354-8951
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June 16, 2003

Dear Mississippi Cattle Producer,

There is a problem in America. Your grocer can not legally label the beef you and other Americans' buy as "Product of Country X" or "100% USA". This market needs your help to make that happen. We have to know which cattle were actually born on your farm in the USA. Only you can tell us that.

You as producers have been asked to promote beef in many different ways in the past. From the MIMS program, to Southeast Pride, to Beef Quality Assurance, to the Beef Check Off and now, the Mississippi Model for C.O.O.L. Compliance. Each of these past programs has had some cost involved whether that was with tags and vaccines, to extra labor, on down to the modest \$1.00 check off. At last a program that costs you nothing more than telling the check off man the correct classification of your cattle. These check off men work hard but some of them need a hand and all of them would appreciate one. You can give them that hand by telling them which of your cattle were born on your farm and which were not. As unbelievable as it sounds, without your statement at check in, your grocer will not be able to label the beef you buy as "100% USA".

This market can help him do that, but not without your cooperation. If any of the cattle you bring to the sale were actually born on your farm and your farm is in the USA, TELL THE CHECK IN MAN TO MARK IT 'O'. For all the other cattle you bring, grown cows or bulls, yearlings you have grazed, cattle you bought from you neighbor, or any other animal you can not personally swear was "Born in the USA" please tell the check in man to mark that animal "G". The "G" is a grandfather clause that we hope will be adopted in the mandatory rules coming September, 2004 It states that you raised that animal on your farm in the USA, have no documents that tell you that animal was not born in the USA, but could not swear to that in court.

Your market works to get many buyers to bid on your cattle so they bring the most they can. It may seem easier or more profitable to sell to a dealer one on one in the country, but are you sure you got what each of your cattle was really worth? If you had brought you cattle to the market, each animal would be judged by 6-15 companies as well as everyone else present and the true value of your cattle obtained. Would you rather have one, two, or maybe a few more buyers come to your farm to try to buy your cattle, or would you rather have the 6-15 companies that make you local market each week bid on each of your animals by simply bringing them to the check in chute. Your market is trying to get you the most for your cattle but to do that your help is needed. Tell the check in man the correct classification of your cattle. If you know, tell him "MARK THAT ONE 'O'."

Thank you for your cooperation, as this would not be possible without you.

Thanks again,

Market Manager



EXAMPLE 1 XYZ MARKET (Example where Market requires signature)

CHECK IN SHEET

SELLER	ADDRESS	CITY	COUNTY	STATE	ZIP
Frankie Smith	123 Any Road	Anguilla	Sharkey	MS	38721
227-G	cow				
278-G	cow				
279-G	cow				
280-G	cow				
281-G	cow				
282-G	pr				
283-G					
284-G	pr				
285-O					
286-G	pr				
287-O					
288-G	pr				
289-O					
290-G	pr				
291-O					

I certify that the livestock marked "O" and offered for sale were raised by me and were born on my farm located in the USA

Signature

Example 1 XYZ MARKET (Example where Market does not require signature)

CHECK IN SHEET

SELLER	ADDRESS	CITY	COUNTY	STATE	ZIP
Bob Smith	1612 Any Road	Brookhaven	Lincoln	MS	
410-O	blkfst				
411-O	rdwfst				
412-O	blkhf				
413-G	blkcw				
414-G	wfcow				
415-G	charbull				
416-O	charhf				
417-O	blkst				
418-O	wfhf				
419-O	rdst				

EXAMPLE 2**XYZ MARKET**

June 4, 2003

NBC STOCKERS

212-O	445	\$89.00	\$374.10
268-O	485	\$83.50	\$404.98
285-O	475	\$81.50	\$378.13
287-O	455	\$87.00	\$382.20
289-O	455	\$92.00	\$418.60
306-O	490	\$81.00	\$396.90
361-T	415	\$85.00	\$352.75
410-O	460	\$85.00	\$391.00
417-O	465	\$85.00	\$395.25
488-G	490	\$83.50	\$409.15
506-O	435	\$89.50	\$389.33
522-O	440	\$91.00	\$400.40
12 Head	5510		\$4,692.79

The dealer could legally certify all but 361 and 488 as born in USA. The dealer could then sort off 361, 488, and any other non "O" cattle and use them as we do now, but would create a pool of cattle that could be certified as "Born and Raised in USA".

EXAMPLE 3**XYZ MARKET**

June 4, 2003

NBC KILLCOWS

188-G	1040	\$44.00	\$457.00
196-T	965	\$38.50	\$371.53
207-G	875	\$47.50	\$415.63
277-G	1180	\$45.00	\$531.00
278-G	1055	\$39.00	\$411.45
279-G	970	\$46.25	\$448.63
280-G	1315	\$42.00	\$552.30
413-G	820	\$42.00	\$344.40
414-G	915	\$43.50	\$398.00
9 Head	9135		\$3,929.94

None of these cattle could be legally certified now because the original producer is not on file. If the Grandfather clause is adopted in the mandatory rules, they could then be certified.

Example 4

Certified Livestock from Dealer

Invoice

ABC LIVESTOCK DEALER

P. O. Box 123
Anywhere, MS 39000

Date September 26, 2003
Invoice # 1234
Bill To John Doe
100 Miller Ranch Road
Dodge City, KS

Description			Amount
100	wf & blkstrs	48,240 @ 94.75	\$45,688.10
* ABC certifies that ABC Livestock Dealer has records on file at this office that will lead to the original producer(s) who oversaw the birth and raising of these animals within the USA and ABC certifies that ABC Livestock Dealer oversaw the raising of these animals while in ABC's possession.			
Total			\$45,688.10

Bill M. Brister

Business Address

P.O. Box 150606
Millsaps College
Jackson, Ms 36210
(601) 974-1271
(601) 974-1260 (Fax)
bristbm@millsaps.edu

Home Address

4380 Brook Drive
Jackson, Ms 39206
(601) 982-1745

Education

Ph.D.	University of Arkansas	Finance	1989
	Supporting Fields:	Mathematical Statistics, Economics	
MBA	University of Southern Mississippi	Economics	1979
BS	University of Southern Mississippi	Economics	1978

Academic Experience

Millsaps College, Director of the Center for Applied Research, 1995-present

Millsaps College, Assistant Professor of Finance, 1989-present

Millsaps College, Director of the MBA Program, 1993-1997

University of Southern Mississippi, Instructor and Assistant Professor,
Departments of Economics and Finance 1979-1983, 1987

University of Arkansas, Teaching Assistant, Department of Finance
1984-1986, 1988

Subjects Taught

Undergraduate and Graduate Portfolio Management, Undergraduate and Graduate Financial Management, Undergraduate and Graduate Financial Markets and Institutions, Advanced Financial Management, Money and Banking, Principles of Economics, Business Statistics, International Investments, International Financial Management, External Environment of Business, and Accounting and Finance for Managers.

Publications

"Does WorkFirst Work? A Preliminary Evaluation of the First Year of Mississippi's Welfare Reform Waiver", Proceedings of the 1997 Meeting of the Academy of Economics and Finance, Forthcoming in 1997, with Jesse Beeler and Philip Taylor.

"Process Study for Mississippi's New Direction Demonstration", submitted to the Mississippi Department of Human Services and to the United States Department of Health and Human Services, March 1997.

"The Impact of WorkFirst After One Year: A Preliminary Assessment" submitted to the Mississippi Department of Human Services and to the United States Department of Health and Human Services, November 1996.

"Quarterly Monitoring Reports, Mississippi New Direction Demonstration Project Evaluation", submitted to the Mississippi Department of Human Services and to the United States Department of Health and Human Services, February 1996, November 1995, August 1995, May 1995, February 1995.

"Beyond Statistics: It's Important to Discover the Value", in the Mississippi Business Journal, November 7, 1994.

"The Regulatory Effect of Credit Ratings on Bond Interest Yield: the Case of Junk Bonds", Journal of Business Finance and Accounting, Winter 1994, with Dr. Pu Liu and Dr. Robert Kennedy.

"The Preliminary Impact of WorkFirst", Papers and Proceedings, Midsouth Academy of Economics and Finance, Accepted for Publication, with Jesse Beeler and Philip Taylor.

"The Stock Market Reaction to Green Information", Papers and Proceedings, Midsouth Academy of Economics and Finance, Summer 1991, with John Broussard.

"Efficiency of International Capital Markets, Some Further Evidence" Western Illinois University Journal of Business, Winter 1989, with Dr. Fazal Seyyed.

"Cost of Capital in Corporate Strategy: Multinational vs. Domestic Firms", Business Insights, Vol. VIII, No. 1, Fall/Winter 1988, with Dr. Eddie M. Lewis.

"Mississippi Sectorial Changes: The 1970's Decade", Midsouth Journal of Economics, Proceedings, September 1984, with Dr. George H. Carter.

"Cost of Capital in Corporate Strategy: Multinational vs. Domestic Firms", Journal of the American Institute of Decision Sciences, Proceedings, Winter 1986-1987, with Dr. Eddie M. Lewis.

Other Research, Presentations, and Honors

Presentation of the research paper, "Does WorkFirst Work? A Preliminary Evaluation of the First Year of Mississippi's Welfare Reform Waiver", Academy of Economics and Finance meeting, Lafayette, Louisiana, February, 1997.

Served as principle facilitator of Welfare Reform Workshop for the Department of Human Services of the State of Mississippi at Millsaps College on March 19-22, 1996.

Presentation of the research paper, "The Regulation Effect of Credit Ratings on Bond Interest Yields: The Case of Junk Bonds", at the Eastern Finance Association meeting, The Homestead, Hot Springs, VA, April 1991.

Presentation of the research paper, "The Risk Characteristics of Closed-End Country Funds", at the Eastern Finance Association meeting, Tampa, FL, April, 1992.

Presentation of the research paper, "The Stock Market Reaction to Green Information", at the Midsouth Academy of Economics and Finance annual meeting, Shreveport, LA, February, 1991.

Member of the Board of Editors of the Journal of Economics and Finance, 1990, 1991, 1992, and 1993.

Member, Board of Advisors and Faculty Advisor, General Louis Wilson Fund, a student-managed stock portfolio.

Area Coordinator, Midsouth Academy of Economics and Finance meeting, February 1990, 1991.

Conducted the 1995 Summer Institute for the Mississippi Economic Council's American Enterprise Center. The title of the Institute is "Critical Economic and Social Issues of Mississippi".

Conducted the 1994 Summer Institute for the Mississippi Economic Council's American Enterprise Center. The title of the Institute is "Free Enterprise With a Focus on Geography".

Served as co-instructor of the Executive Management Seminar entitled, "Valuing Your Business" on June 30, 1994. This seminar was the pilot program for the Millsaps' Executive Management Center.

Delivered the Speech, "NAFTA, What Does It Mean For Mississippi" to the Eighth Annual Mississippi Partnership Conference, May 15-17, 1994, Biloxi, Mississippi.

Delivered the Speech, "NAFTA Overview / Impact on Mississippi Business" to the World Trade Week Conference, May 23, 1994, Jackson, Mississippi.

Delivered the Speech, "The New World Fertile Crescent", at the Southern Regional Land Conference, June 24, 1994, Biloxi, Mississippi.

The paper "Corporate Survival Analysis, A Prediction Model" was selected for presentation at the April, 1993 Annual Meeting of the Eastern Finance Association in Richmond, Virginia.

Director of Symposium entitled "Mississippi: Where We've Been, Where We Are, Where We're Going". Funding provided by Mississippi Humanities Council, March 16, 1994. Delivered the speech "NAFTA's Effect on Mississippi" at the Mississippi Economic Council / Mississippi NAFTA Conference, November, 1993.

Delivered the speech "The Economic Rationale Behind the NAFTA Agreement" at the NAFTA/Export Workshop sponsored by the U.S. Department of Commerce, November, 1993.

Designed and Conducted the 1993 Summer Institute for the Mississippi Economic Council's American Enterprise Center. The title of the Institute is "International Economic Events: The Impact on Mississippi".

Moderator and expert for the program, "International Economic Events: The Impact on Mississippi", edited and aired by Mississippi Educational Television, October 3, 1993.

Designed and delivered a lecture series during the summer of 1992 to middle management of Blue Cross/Blue Shield of Mississippi. The series was entitled, "Statistical Analysis for Quality Control in Financial Service Organizations".

Designed and conducted the Summer Institute for the Mississippi Economic Council's American Enterprise Center for 1992. The title of the Institute is "Making Mississippi Work, A Partnership Between Business and Education".

Awarded a Professional Development Grant by Millsaps College for the Summer of 1993.

Received commendation for accomplishments in the area of college service to Millsaps College during the years of 1992, 1994, 1995, and 1996, 2001, and 2002.

Instructor for the American Institute of Banking, 1979-1984.

Speech to the members of the Mississippi Chapter of Financial Analysts entitled "A Comparison of Junk Bond Default Risk and Yield Premiums", Feb 28, 1990.

Participant at several forums and seminars, including the American Iron and Steel Forum and the Chicago Board of Trade Seminar on Financial Futures.

Consulting experience with banks, corporations, small businesses, attorneys, and governmental agencies.

Professional Memberships

National Association of Forensic Economics
Financial Management Association
American Finance Association

Litigation in which Bill M. Brister has Testified

Pounds v. U.S. Repeating Arms Company and Olin Corporation
U.S. District Court, Southern District of Mississippi, Hattiesburg
Civil Action 2:94-CV-446 PS
Testimony: 05-20-96
Law Firm: Husch and Eppenburger, St. Louis, MO

Pam Smith v. Atlanta Casualty Insurance Company
State of Mississippi, Circuit Court of Hinds County
Civil Action No.
Testimony: 08-05-96
Law Firm: Minor and Associates, Biloxi, MS

Partridge v. Partridge
State of Mississippi, Chancery Court of Hinds County
No. 129,086
Testimony: 01-31-94
Law Firm: Chinn and Associates, Jackson, MS

Green and Green d/b/a Swensen's v. Bennett York et al
State of Mississippi, Circuit Court of Forrest County
Civil Action No. 7-88-2416
Deposition: 04-28-1994
Law Firm: Ott, Purdy and Scott, Jackson, MS

Superior Boat Works, Inc. v. Lady Luck Mississippi, Inc. et al
U.S. Bankruptcy Court, Northern District of Mississippi, Aberdeen MS
Proceeding No. 93-2238
Deposition: 09-30-96
Testimony: 10-31-96
Law Firm: Swank and Associates, Covington, LA

Larry v. McPhate Pulpwood, Inc.
State of Mississippi, Circuit Court of Jefferson County
No. 96-0009
Testimony: 02-11-97
Law Firm: Watkins and Eager, Jackson, MS

Body Support Systems v. Blue Ridge Table Co., Inc.
U.S. District Court, Northern District of Mississippi, Oxford, MS
Civil Action 1:96CV161-D-A
Deposition: 07-28-97
Law Firm: Frascogna, Courtney, Wright, Smith & Dyer, Jackson, MS

Bartley Lamar Denton v. Simpson et.al.

State of Mississippi, Circuit Court of Adams County
No.

Testimony: 11-14-97

Law Firm: Watkins and Eager, Jackson, MS

Casino America v. Ed Ernest and Casino Magic

State of Mississippi, Circuit Court of Harrison County

No. C2402-96-1064

Deposition: 5-19-98

Butler, Snow, O'Mara, Stevens & Cannada

Geneva Boyd v. Jitney Jungle

State of Mississippi, Circuit Court of Lincoln County

No. 94-00241

Testimony: 7-6-98

Allen, Allen, Boerner & Breeland

Kemp v. Kemp

State of Mississippi, Chancery Court of Lauderdale County

No. 97-1005-M

Testimony: August 1999

James and Associates

Thompson et. al.v. Jim Walter Homes et. al.

State of Mississippi, Circuit Court of Jefferson County

No. 2000-24

Deposition: 6/24/01

Watkins and Eager

Pro Maintemance Services et. al. v. Deposit Guaranty National Bank at. al.

State of Mississippi, Circuit Court of Hinds County

No. 251-96-59-CIV

Deposition: 10/18/01

Mockbee, Hall & Drake

Mickey D. Crawford v. Mabe's Trucking Company, Henry Milton Joyner, et. al.

U.S. District Court, Southern District of Mississippi

No. 1:00CV154BrR

Deposition: May 29, 2002

Minor and Associates

Victory Lane Productions v. Morton Custom Plastics
U.S. District Court, Southern District of Mississippi
No. 3:01CV178WS
Deposition: August 5, 2002
Simmons and Associates and Husch and Eppenberger

McClellan v. USA Motor Express, Inc.
State of Mississippi, Lee County Circuit Court
No. CV200027POB
Testimony: December 16, 2002
Ashe, Tanner & Wright

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COOL needs to be recalled

It has been said there are two things the average person should not watch.

The first is the process of making sausage. The second is the process of making laws. The new country-of-origin-



Greg Henderson

labeling law is a prime example of how Congress can disrupt an industry without fully grasping the consequences of its actions. Fortunately, now that COOL's

flaws have been exposed, the entire, half-baked idea may be recalled.

The premise behind COOL sounds logical. American consumers should know whether the food they buy is an import or American grown, bred, raised, etc. As with most ideas that sound good in the beginning, however, the devil is in the details. And the details of the COOL law, scheduled to become mandatory on Sept. 30, 2004, are a disaster waiting to happen for livestock producers.

That view, however, is not shared by everyone. In fact, a national coalition of grower and consumer groups called Americans for Country of Origin Labeling pushed hard to get COOL included in the 2002 Farm Bill and claim they intend to see the law become mandatory next year. Supporters of COOL believe the law will help American producers compete fairly, and they claim a majority of consumers want to know the origin of their meat and produce.

However well-intentioned COOL supporters may be, a host of industry professionals and organizations have voiced concern over COOL's unintended consequences. Even officials at USDA, the agency charged with implementing COOL, believe the regulations will cause significant harm to the U.S. meat industry and to producers.

Bill Hawks, USDA undersecretary for marketing and regulatory programs, called mandatory country-of-origin labeling "highly objectionable" in testimony last month to the Senate Agriculture subcommittee. "We feel these new requirements will not have a positive effect overall and that the

potential impact on trade and the unintended consequences on producers could be significant."

The COOL law will create a record-keeping burden on livestock producers and the entire red-meat industry. Specifically, the law says, "Any person ... in the process of supplying a covered commodity to a retailer shall provide information to the retailer indicating country of origin." That doesn't leave much wiggle room for retailers, so they've been forced to make new demands on packers, who, in turn, have told producers about the new requirements they'll demand come Sept. 30, 2004. Interestingly, the COOL regulations also indicate the Secretary of Agriculture may not use a mandatory identification system to verify country of origin.

Those who support COOL believe the law will make it tougher for imported beef to compete with American-raised product. One could argue that's a protectionist policy, which seems a hypocritical industry position since growing exports of beef to Japan and other Pacific Rim countries have helped all producers the past few years. But the numerous exclusions to COOL also keep the law from having much effect on imports.

COOL is not required for ingredients in a processed food product. For instance, hamburger included as a topping on a frozen pizza is not covered. Foodservice establishments are also excluded from COOL. That means COOL won't touch the hamburger imported and mixed with American product for giant hamburger chains, such as Burger King and Wendy's.

But the most disturbing exclusion from COOL is chicken. That's right—chicken. Beef and pork producers will be forced to provide a verifiable audit trail, but chicken producers won't.

The current COOL law creates all of the burdens for livestock producers, packers and retailers without the intended benefits. We don't need country-of-origin labeling for beef and pork in this form. Let's work to get this package recalled.

TEXAS CATTLE FEEDERS ASSOCIATION NEWSLETTER

5501 I-40 WEST

AMARILLO, TEXAS 79106

806/358-3681

For Bill Brister

Volume 37, Number 19

May 9, 2003

AMI: No Evidence of Benefit In Mandatory COOL

The American Meat Institute (AMI) finds no evidence that mandatory country-of-origin labeling (COOL) will benefit any sector of the meat marketing chain, including consumers, says Mark Dopp, AMI senior VP of regulatory affairs and general counsel.

In testimony at several USDA listening sessions, Dopp said arguments that COOL is a consumer right-to-know issue are disingenuous. "If this is the case, why do consumers only have the right to know the origin of meat and not poultry? Or peanuts, but not walnuts or almonds? And why does the consumer only have the right to know the origin of some foods purchased in retail stores, but not foods consumed in restaurants?"

Dopp also said the labeling law will require different labels on meat from animals born in Mexico, Canada and the U.S.—"Even though all three animals may be slaughtered within minutes of each other at the same plant in Nebraska, under the supervision of the same USDA inspector and in compliance with the same regulatory criteria."

AMI Senior Vice President Mike Brown added other points to ponder. "If COOL offers such benefits to consumers as proponents have suggested, then you have to ask why food companies haven't already exploited this advantage in the marketplace. If consumers were willing to pay for this information, somebody would have already provided it to them."

Five listening sessions have been completed by USDA, with seven more to go. They are May 14 in Orlando, Fla.; June 4 in Cody, Wyo.; June 6 in Billings, Mont.; June 12 in Sacramento, Calif.; June 19 in Baton Rouge, La.; June 24 in St. Paul, Minn.; and June 26 in Lancaster, Pa.

Nebraska Beef Sues USDA Over Inspection Practices

Nebraska Beef Ltd. of Omaha, Neb., filed suit in federal court May 2 against USDA, alleging meat inspectors are unfairly enforcing food safety regulations in the wake of a January court victory.

In the January court case, Nebraska Beef successfully stopped USDA from closing the plant over alleged food safety violations. Nebraska Beef and USDA entered into a consent agreement requiring the company to hire a third party to review food safety at the plant and USDA agreed to apply regulations in a fair manner, according to The MeatingPlace.com.

In two suits filed earlier this month, Nebraska Beef asked that it be absolved of conditions of the January settlement and alleged USDA "inspection personnel have, and continue to, treat (Nebraska Beef) in an unfair and biased manner by issuing NRs (written violation notices) for conditions that exist in plaintiff's plant while plants similar in structure and operations to plaintiff's plant, in which similar conditions also exist, are not issued NRs for the occurrence of those same conditions."

Legislative Wheels Grind; You Provide The Grease

"It's frightening to think where we would be without the collective strength and power of TCFA in the myriad of legislative, regulatory and environmental challenges facing every one of us every day," says TCFA Beef-PAC Chairman Paul Engler. And he admits that many cattle feeders may not like political action committees, "but, like 'em or not, they influence the legislative process. And our industry cannot afford to sit on the sidelines."

Engler asks every TCFA member to seriously consider a contribution to TCFA's Beef-PAC. "Trustees, drawn from TCFA membership, make decisions on candidates to support based on each candidate's willingness to help our industry," Engler says. "Beef-PAC is non-partisan, supporting both Democrats and Republicans in state and national races."

Beef-PAC asks for your help in two ways—write a personal check for as much as you can and give TCFA your ideas on ways to further strengthen its legislative activities. Contact Brenda Higley at brenda@tcfa.org or (806) 358-3681.



(over)

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JERARD K. ALLEN, Owner

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Hogs — 12:30 p.m. • Cattle — 1:30 p.m.

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Cattlemen's Beef Promotion & Research Board
& Mississippi Cattle Industry Board
\$1.00 per head

6-10, 2023

SOLD TO *Miss Ronda Dwyer, Pickens, MS.*

NO.	ITEM	WEIGHT	PRICE	AMOUNT
✓ 4	H-30 410	1640		1507 60
2 ✓ 1	H-37X —	225		202 50
3 ✓ 1	H-38 —	170		205 70
4 ✓ 1	H-38X —	210		136 50
5 ✓ 1	H-39 —	335		251 25
6 ✓ 1	H-70 —	740		473 60
7 ✓ 4	H-77 346	1385		1219 23
8				
9	13	4705		3,996 38
10				
11			Handling	47 05
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13				4,043 43
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27				
28				
29				
30				

In sale of livestock listed above, we act as agent only, and it is accepted by the purchaser with the understanding that we make no guaranty as either title or condition of the animals.

NATCHEZ STOCKYARDS, INC.

P.O. BOX 1105 — NATCHEZ, MISSISSIPPI 39121 — (601) 442-0271

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JERARD K. ALLEN, Owner

WE ARE BONDED FOR YOUR PROTECTION

SALE EVERY TUESDAY — PRIVATE SALES DAILY

Hogs — 12:30 p.m. • Cattle — 1:30 p.m.

We do not guarantee against sickness or death

BEEF PROMOTION INVESTMENT
Cattlemen's Beef Promotion & Research Board
& Mississippi Cattle Industry Board
\$1.00 per head

SOLD TO H-30

6-10, 20 D3

	NO.	ITEM	WEIGHT	PRICE	AMOUNT
1	898	0	445	93 -	413 85
2	007	0	400	80 -	320 00
3	132	0	410	92 -	377 20
4	190	0	385	103 -	396 55
5					
6	4		1640		1507 60
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30					

In sale of livestock listed above, we act as agent only, and it is accepted by the purchaser with the understanding that we make no guaranty as either title or condition of the animals.

BUYER'S STATEMENT - RECAP

WEST POINT STOCKYARDS

(601) 494-6635

P.O. BOX 811

WEST POINT, MS 39773-

119

161

MISS. ORDER BUYERS

06/17/03

P O BOX 340

PICKENS, MS 39146-

Large Acct	Head	Total			Average		
		Weight	Cost	Gross Cost	Weight	Price	Cost
14	6	2,475	2,088.88	2,088.88	412.50	84.40	348.15
55	2	685	582.15	582.15	342.50	84.99	291.08
		8	3,160	2,671.03	395.00	84.53	333.88

Commiss: 16.00 to EDDIE HOLCOMBE

Total Cost: 2,687.03

ACT AS AGENTS ONLY
MISS. ORDER BUYERS

PROMPT PAYMENT IS REQUESTED!

BUYER'S STATEMENT

WEST POINT STOCKYARDS

(601)494-6635

P.O. BOX 811

() -

WEST POINT, MS 39773-

161

MISS. ORDER BUYERS

06/17/03

119

P O BOX 340

PICKENS MS 39146-

H 14

ag	Hd	Description	Comments	Pen	CD	Weight	Price	Amount
4	1	REDMF HFR		50	WT	405	80.00	324.00
			0					
6	1	REDWF HFR		50	WT	385	85.50	329.18
			0					
1	1	BLACK HFR		50	WT	410	88.00	360.80
			G					
5	1	BLACK HFR		44	WT	450	85.00	382.50
			G					
62	1	RED HFR		50	WT	380	81.50	309.70
			G					
71	1	BLKWF HFR		50	WT	445	86.00	382.70
			0					
=====								
OTAL	6					2,475		2,088.88

		Total			Average		
Charge Acct	Head	Weight	Cost	Gross Cost	Weight	Price	Cost
1 14	6	2,475	2,088.88	2,088.88	412.50	84.40	348.15

ACT AS AGENTS ONLY.

MISS. ORDER BUYERS

PROMPT PAYMENT IS REQUESTED!

BUYER'S STATEMENT

WEST POINT STOCKYARDS

(601) 494-6635

P.O. BOX 811

WEST POINT, MS 39773-

119

161

06/17/03

MISS. ORDER BUYERS

P O BOX 340

PICKENS MS 39146-

H 55

Wt	Hd	Description	Comments	Pen	CD	Weight	Price	Amount
58	1	BLKWF HFR		50	WT	340	87.00	295.80
			G					
84	1	BLACK HFR		50	WT	345	83.00	286.35
			G					
=====						685		582.15
TOTAL	2							

		Total			Average		
Charge Acct	Head	Weight	Cost	Gross Cost	Weight	Price	Cost
I 55	2	685	582.15	582.15	342.50	84.99	291.08

ACT AS AGENTS ONLY.

MISS. ORDER BUYERS

PROMPT PAYMENT IS REQUESTED!